

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. The changes to Fig. 1 consist of adding a legend designating Fig. 1 as "PRIOR ART".

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

This application has been amended. In particular, two typographical errors in the specification have been corrected. Additionally, Figure 1 has been amended to include a legend indicating that the subject matter illustrated therein is prior art. No new matter has been added. Claims 1-8 remain pending. Applicants acknowledge and thank the Examiner for indicating that claims 2-4 contain allowable subject matter and would be allowed if rewritten in independent form including all of the limitations of the base claim and, further, for allowing claims 5-7.

The objections to the Drawings and Specification set forth on page 2 of the Office Action have been addressed through the amendments set forth above. Therefore, it is respectfully requested that these objections be withdrawn.

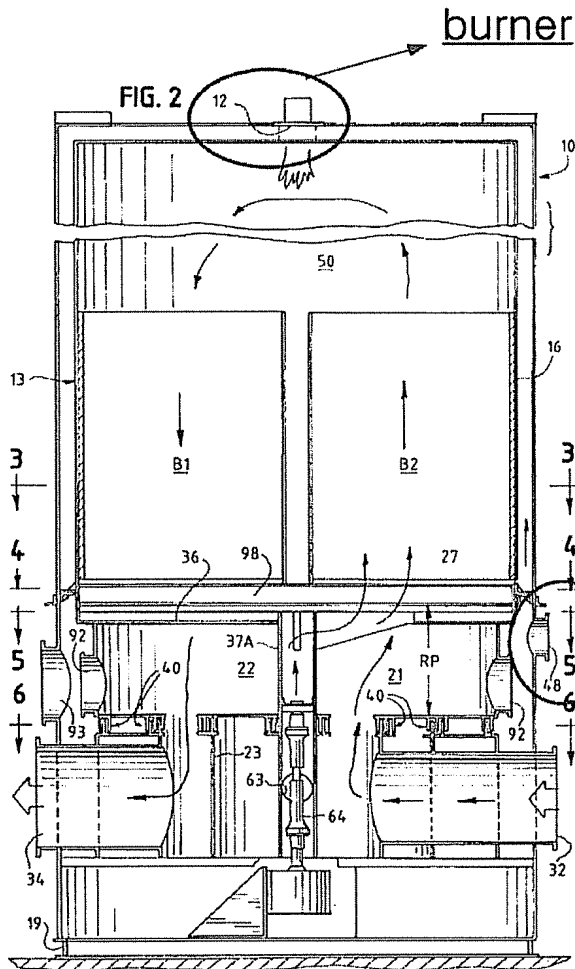
Claims 1 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,871,349 to Johnson et al. (hereinafter "the Johnson patent") This rejection is respectfully traversed.

The oxidizer defined in claims 1 and 8 includes, among other features, a first duct that communicates with the space outside of the oxidizer through an upper end of the oxidizer while passing through the heat exchanger. The Office Action contends that this feature is also found in the oxidizer of the Johnson patent. Specifically, the Office Action points to element "48" of the Johnson patent which can best be seen in Figure 2. (March 27, 2009 Office Action, page 3)

Applicants believe the Office Action has mischaracterized the Johnson patent in this regard. From Figure 2 of the Johnson patent, (reproduced on page 6 of this Amendment), it does not appear that "48" is located at an upper end of the oxidizer, nor does it appear that it passes through the heat exchanger (13). The specification of the Johnson patent provides no description of this element, and thus it is entirely speculative whether it would even communicate with the outside of the oxidizer at all. In fact, Figure 9 and lines 15-20 of column 5 of the Johnson patent appears to suggest that "48" does not provide communication between the interior and exterior of the oxidizer. The chamber (122) shown in Figure 9 appears to be located adjacent to the feature labeled as "48" in Figure 2. The Johnson patent indicates that a sealing gas is introduced into this chamber which then flows through the periphery of the hollow reactor housing (15) of the oxidizer to minimize the

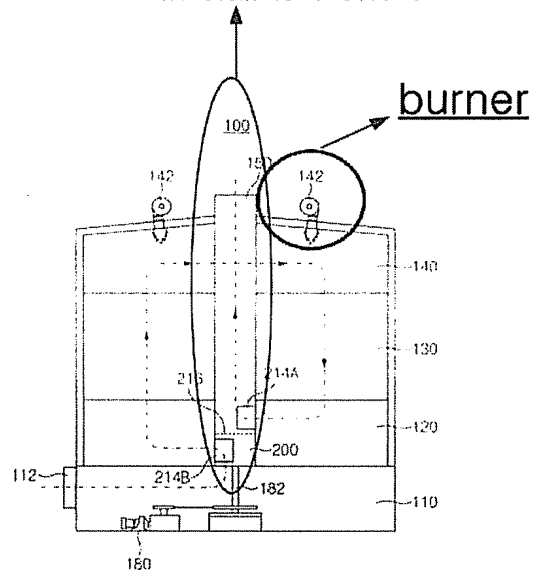
leaking of process gas. If, as is contended in the Office Action, “48” provides a duct to the outside of the oxidizer, a sealing gas provided in chamber (122) would likely flow immediately through this “duct” (48) rather than throughout the reactor housing (15). Therefore, Applicants do not believe that the Johnson patent can fairly be said to teach, disclose, or suggest “a first duct communicating with an outside through an upper end of the regenerative thermal oxidizer while passing through the heat exchanger.”

Additionally, the oxidizer defined in claims 1 and 8 includes a first gas flow path. In claim 1, the first gas flow path connects some of the sectors of the heat exchanging part to the outside of the oxidizer through the first duct. In claim 8, the first gas flow path is associated with the first duct and the rotor-shaped distribution unit, which is in close contact with the first duct. The “duct” (48) of the Johnson patent, though it is not described in the specification, may relate to the burner (12), as seen in Figure 2 of the Johnson patent (reproduced on page 6 of this Amendment). The burner (142) in Figure 2 of the present application, however, is not associated with the first duct (150) or the first gas flow path which is formed by the first duct (150) and the cylindrical rotor in claim 1 or the rotor-shaped distribution unit in claim 8. Therefore, the Johnson patent does not disclose or suggest a first gas flow path provided by combination of the first duct and the cylindrical rotor, as in claim 1, or by combination of the first duct and the rotor-shaped distribution unit, as in claim 8. Thus, the Johnson patent fails to anticipate these features as well.



The first duct indicated
 by the Examiner:
Johnson et al never
refers to the numerical
reference 48 in the
detailed discription

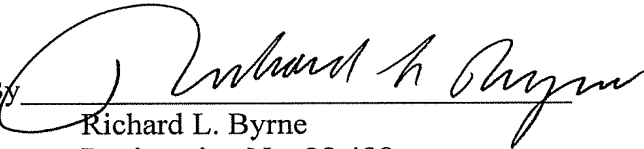
The first duct
and the first gas
flow provided by
a combination of
the first duct 150
and the rotor 200
in claims 1 and 8



CONCLUSION

For all of the foregoing reasons, Applicants submit that the pending claims are patentable over the cited documents of record and are in condition for allowance. Accordingly, reconsideration of the outstanding rejections and objections and allowance of pending claims 1-8 are respectfully requested.

Respectfully submitted,
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"PRIOR ART"

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FIG. 1

